



California Department of Veterans Affairs
Roger Brautigan, Acting Secretary

DIVISION OF VETERANS HOMES
Office of HIPAA Implementation

Annual HIPAA Progress Report 2009

To: **Jack Kirwan**, Chief

From: **Venus Andrade**, Chief Privacy Officer

Through: **Lynn Scott**, Assistant Deputy Secretary – Veterans Homes

Re: **HIPAA Compliance**

Date: October 21, 2009

The following information is taken from our operating plan for HIPAA for the 09/10 fiscal year. The plan is our strategic blue print developed over the past fiscal years to guide our continuing efforts to achieve full HIPAA compliance, and to ensure that those efforts are in alignment with the California Office of Health Information Integrity's (CalOHII) expectations.

Our HIPAA efforts have been primarily funded from CDVA's HIPAA budget by redirecting key staff to work on critical areas of HIPAA. HIPAA team member positions are identified on the program organizational chart and on the HIPAA Team Member Roster found on the Intranet.

The identification, development, implementation, evaluation, and coordination of the Department's efforts to implement HIPAA are the major scope of responsibilities for these positions. This scope includes, 1) on-going updating and revision of the HIPAA rules for privacy, transactions and code sets, and 2) security, infrastructure, and communications critical to the Department's ability to implement HIPAA effectively.

In addition to having an organized HIPAA Team we have developed policies and procedures that support HIPAA specific to HQ and the Homes. The team is diligently working on updating and standardizing all policies and procedures, while providing on-line and classroom privacy, security and confidentiality training at headquarters and at the VHC's. Policies and forms are currently being updated into Policy Tech format for

enterprise wide standardization. Based on information provided by the VHC's 75% of these policies are standardized, and all policies can be found at the HIPAA Web site on CDVA's Intranet. It's our goal to have all HIPAA policies and procedures standardized in 09/10. Mandating annual training for all workforces is part of reaching full implementation by the 09/10 deadline. Currently, training is completed on-line (electronically verified) at HQ, and in the class room (verified by sign in sheets) at the three Homes. Barstow reported 78% of staff has fulfilled privacy and confidentiality training requirements, with Chula Vista reporting 71%, Yountville reporting 72%, and HQ reporting 96%. With the launch of the Silver Chair Training System (an agency wide on-line training tool) having a standardized training program in privacy and security as part of compliance is anticipated early 2010. This will move the Homes closer to achieving 100% HIPAA compliance.

Our Agency has made a concerted effort to protect health information. We have developed our policies and implemented our HIPAA program to provide education and training to our staff so that they are better equipped to handle and control the dissemination and processing of sensitive health information. With the official release of the Silver Chair Training System, and the completion of incorporating all agency policies into Policy Tech format in 2010, CDVA will have all policies and training tools standardized and on-line at the Homes.

As part of our due diligence and moving towards full compliance— (working with a overall budget of \$125,000 which oversees HQ and the three VHC's) -- I've purchased locking file racks, shredders, screen protectors, privacy and security training tools, equipment and security software. In a few weeks Ventura will be included in future HIPAA purchases. In addition, I've achieved certifications in Privacy, Security and HIPAA; attended numerous courses and seminars on new the California Privacy Laws and regulations, the HITECH Act, and on Health Information Integrity. HITECH Act changes the effect on Business Associates (BA's), enforcement penalties, and how to avoid breaches of protected health information (PHI). These new state and federal laws and regulations are the reasons why the Agency is required to make significant changes to our existing HIPAA policies, forms and training material.

As the Chief Privacy Officer, I continue to work closely with the California Office of Health Information Integrity (CALOHII) in completing annual audits, Zero Budget reports, and research and analysis of HIPAA policies and rules as they relate to HQ and the VHC's. The identification and analysis of uniform standards and procedures statewide for each HIPAA rule is key to CDVA fulfilling its on-going responsibility for ensuring privacy for California veterans.

I believe that my team is doing its part to ensuring that our agency is working towards full compliance by 2010/2011. To that end, we have developed our strategy, approach and execution to become more compliant and more in alignment with CalOHII's expectations.